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FACSIMILE MEMORANDUM

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TO:	Group 2100 (After Final) Examiner Jason Cardone, Group 2145	URGENT
FAX #:	(703) 872 9306	(1301-004)
FROM:	A. José Cortina	
DATE:	March 24 2004	
RE:	U.S. Application No. 09/672,421 to Bulka et al.; Atty. Docket No. 40921/205583 (1301-004)	

Please pass the attached drawings to Examiner Cardone for his immediate attention and response.

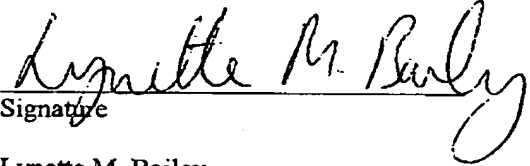
Attorney Docket No. 1301-004

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

Serial No.: 09/672,421
Filing Date: September 28, 2000
Applicant: Bulka et al.
Title: NEGATIVE CACHE MANAGEMENT SYSTEM
AND METHOD
Date of Deposit: March 24, 2005
Type of Document(s) Certificate of Mailing
Response;
Copy of Notice of Allowability;
Copy of Marked up Figure 4 and 6
Copy of Replacement Figures 4 and 6; and
Return Receipt Postcard.

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I hereby certify that the documents identified above are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope on March 24, 2005 and is addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Signature

Lynette M. Bailey

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Application No. 09/672,421
Resubmission of Drawings dated March 24, 2005
Reply to Notice of Allowance dated March 2, 2005

Application No.: 09/672,421 Confirmation No.: 8185
Applicant: Bulka et al.
Filed: September 28, 2000
TC/AU 2145
Examiner: Cardone, Jason D.
Docket No.: 40921/205583 (1301-004)
Customer No.: 26108

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By Facsimile to (703) 872 9306 and U.S. Mail
Mail Stop AF
Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

Responsive to the objection to the drawings in the Notice of Allowability issued March 2, 2005, and pursuant to the undersigned's discussion with the Examiner, Applicants' hereby expressly state that the drawings filed with the Response dated June 17, 2004 are in fact formal drawings. Examiner Cardone indicated in the teleconference that by formally making this statement, the objection would be withdrawn.

1. Nonetheless, to further facilitate removal of the objection, attached is a copy of Notice of Allowability dated March 2, 2004 in which Box 3 is checked and states that the drawings filed on June 17, 2004 have been accepted by the Examiner. The Notice also requests corrected drawings in Box 6(b) be submitted by the Examiner's Amendment dated March 24, 2004. As Box 3 clearly shows that the requirement of Box 6(b) has previously been met. Thus, as required by the Examiner, Applicants hereby again state that the drawings as filed with the June 17, 2004 Response are formal drawings and the requirement for replacement drawings has been met; and

Application No. 09/672,421

Resubmission of Drawings dated March 24, 2005

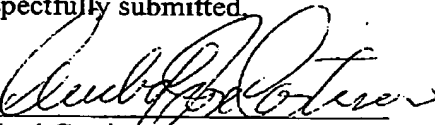
Reply to Notice of Allowance dated March 2, 2005

2. Further, also attached is a copy of June 17, 2004 drawing submission of Marked Up Replacement Sheets for Figures 4 and 6 and Proposed Replacement Sheets Figure 4 and Figure 6.

Applicants request that the Examiner indicate acceptance of the drawings as filed.

Dated: March 24, 2005

Respectfully submitted,


A. José Cortina, Reg. No. 29,733

Daniels Daniels & Verdonik, P.A.
P.O. Drawer 12218
Research Triangle Park, NC 27709
Voice 919.544.5444
Fax 919.544.5920
Email jcortina@d2vlaw.com

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Notice of Allowability

Application No.

09/672,421

Examiner

Jason D Cardone

Applicant(s)

BULKA ET AL.

Art Unit

2145

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/7/04.
2. ☒ The allowed claim(s) is/are 1-4, 6-9, 11-16, 20-23, 25-28, 30-35, 39, 40.
3. ☒ The drawings filed on 17 June 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 3/24/2004.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____. | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


Jason D Cardone
Primary Examiner
Art Unit: 2145

Mar 24 05 09:28a

Daniels Daniels Verdonik

919-544-5920

p.6

Application No. 09/672,421
Amendment dated June 17, 2004
Reply to Office Action dated March 24, 2004
Express Mail EV 406652200US
Marked up Replacement Sheet Figures 4 and 6